

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

5:18-CR-00452-FL

UNITED STATES OF AMERICA

v.

LEONID ISAAKOVICH TEYF, et al.,

JOINT MOTION TO RELEASE FUNDS

Pursuant to Federal Rule of Criminal Procedure 41(g), the U.S. Attorney's Office for the Eastern District of North Carolina ("EDNC") and Lank Ventures LLC ("Lank") (collectively, the "Parties") jointly move for the release of seized property in Branch Bank and Trust account XXXXXX4304, contingent upon reasonable conditions to protect access to the property and its use in later proceedings.

On December 5, 2018, a warrant was issued by the U.S. Magistrate Judge, James E. Gates, of the Eastern District of North Carolina for the seizure of property from two Branch Bank and Trust ("BB&T") accounts, one of which is BB&T Account XXXXXX4304 in the name of Lank Ventures LLC (hereinafter "the BB&T Account"). *See* 5:18-mj-2083-JG [DE-4]. On February 14, 2019, the Parties agreed to the return of such funds into the BB&T Account and the imposition of reasonable conditions to protect future access. The terms of the Parties agreement are memorialized in an agreement as to the same. *See* Ex. 1.

Federal Rule of Criminal Procedure 41(g) permits a court to return property that has been seized to the party deprived of such property pursuant to a motion filed

within the district wherein the property was seized. Here, the BB&T Account was seized within the Eastern District of North Carolina, and the Parties have jointly agreed to the return of the property, as well as to certain reasonable conditions to be granted in accordance with Rule 41(g) to protect access to the property and its use in later proceedings.

The Parties respectfully request that the Court grant their joint motion to release the funds in the BB&T Account pursuant to the conditions contained in Exhibit 1. A proposed order accompanies this motion.

Respectfully submitted this 19th day of February, 2019.

ROBERT J. HIGDON, JR.
United States Attorney

BY: /s/ C. MICHAEL ANDERSON
C. MICHAEL ANDERSON
Assistant United States Attorney
310 New Bern Avenue, Suite 800
Raleigh, NC 27601-1461
Telephone: (919) 856-4530
Facsimile: (919) 856-4821
E-mail: michael.anderson7@usdoj.gov
NC Bar No. 42646
Counsel for the United States

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of February, 2019, a copy of this motion was served upon the following parties by U.S. Mail and/or by electronic filing on CM/ECF:

BSS Holdings 2, LLC
119 SW Maynard Rd, Suite 200
Cary, NC 27511

Konstantin Tomilin
2049 E Bo Mar Drive
Salt Lake City, UT 84121

Mark Lyubinin
2613 Beckwith Road
Apex, NC 27523

Lawrence L. Ostema
Nelson, Mullins, Riley, & Scarborough, LLP
301 South College Street
Charlotte, NC 28202
Counsel for Blue Sky Services Development LLC

Benjamin F. Leighton
James P. McLoughlin, Jr.
Kathryn G. Wellman
Nathan A. White
Moore & Van Allen PLLC
100 North Tryon Street, Suite 4700
Charlotte, NC 28202
Counsel for Defendant Leonid I. Teyf

Damon John Chetson
The Chetson Firm, PLLC
19 W. Hargett Street, Suite 508
Raleigh, NC 27601
Counsel for Defendant Tatyana Anatolyevna Teyf

Raymond C. Tarlton
Tarlton Polk, PLLC
150 Fayetteville Street, Suite 930
Raleigh, NC 27602
Counsel for Defendant Tatyana Anatolyevna Teyf

Elliot Sol Abrams
Cheshire Parker Schneider & Bryan, PLLC
133 Fayetteville Street, Suite 500
Raleigh, NC 27602
Counsel for Defendant Alexey Vladimirovich Timofeev and Olesya Yuryevna Timofeev

Laura E. Beaver
The Beaver Law Firm
P.O. Box 1857
Raleigh, NC 27602
Counsel for Defendant Olesya Yuryevna Timofeev

James E. Hairston, Jr.
Robert Julius Lane, III
Hairston Lane Brannon, PA
434 Fayetteville Street
Raleigh, NC 27602
Counsel for Defendant Alexei I. Polyakov

ROBERT J. HIGDON, JR.
United States Attorney

BY: /s/ C. MICHAEL ANDERSON
C. MICHAEL ANDERSON
Assistant United States Attorney
310 New Bern Avenue, Suite 800
Raleigh, NC 27601-1461
Telephone: (919) 856-4530
Facsimile: (919) 856-4821
E-mail: michael.anderson7@usdoj.gov
NC Bar No. 42646
Counsel for the United States